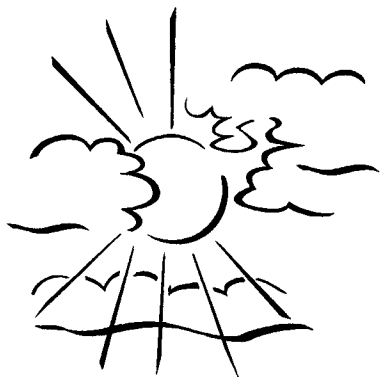


***Department
of
Human
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*Important story at this spot

Articles in Today's Clips

Tuesday, August 23, 2005

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Protecting kids a priority

The Grand Rapids Press

Editorial

Tuesday, August 23, 2005

Periodic background checks can keep the state from placing foster children in the homes of criminals. People convicted of serious crimes shouldn't be taking care of vulnerable children. But hundreds of criminals are licensed as foster parents in Michigan, according to a scathing audit of the foster care system. It is a situation that must be remedied as soon as possible.

This month's report by the state auditor general cited gaps in background checks as a major problem with Michigan's foster care system. The audit of 12,900 foster care providers and other adults living in those homes found more than 350 people had committed serious crimes ranging from sexual assault to domestic violence to drug possession. Those are not the kinds of people who should serve as role models for foster children, who need loving, stable homes and secure environments.

Foster parenting is a responsibility that shouldn't be handed to just anybody. It requires patience, discipline and strength of character. Good foster parents are tough to find, especially for children who have pasts plagued with sexual abuse and extreme neglect. And certainly, most foster parents are upstanding people who offer guidance and set good examples. There are more than 10,000 foster care providers in Michigan, so a few hundred with criminal convictions is not a huge percentage. But even putting one child at risk in the home of a convicted criminal, who might do them harm, is unacceptable.

The lack of periodic background checks by the Department of Human Services (DHS) has made it possible for people who pass initial muster as foster parents to remain in the system undetected even if they later break the law. The department also was slapped for a spotty record of checking the criminal backgrounds of relatives who take in kin. A new system set to go online by year's end will help weed out undesirable caregivers. The DHS will be able to conduct monthly criminal background checks of foster families by linking foster care lists with State Police records. It will be a welcome addition in the effort to protect some of the state's most vulnerable kids.

DHS's plan to begin ongoing background checks is a good one. It addresses one of the major problems auditors found with foster care. Computer upgrades that will be in place next month also will help address another concern: lax documentation of visits to foster homes to check on the well-being of children in those homes. The audit found only about two-thirds of required visits were documented.

DHS director Maianne Udow says the lack of documentation doesn't mean that home visits weren't made, only that the corresponding paperwork was not completed. That might be true, but without the paperwork there is no evidence that cases are being followed-up on as required.

State buyouts and early retirements have slashed DHS's staff by 30 percent since 1997. Caseworkers are handling 25 to 40 cases each, instead of the 15 that national standards suggest, according to Ms. Udow. If manpower is the problem, she should make the case to lawmakers for more workers, even though getting them is unlikely.

It's good that DHS is moving to fix the gaps and lapses cited in the audit, but state lawmakers should weigh in as well on the disturbing findings. Sen. Bill Hardiman, R-Kentwood, chair of the Appropriations Families and Human Services Committee, plans to hold hearings, when the Senate returns to session in September, to review the audit. The more eyes looking to find solutions to the state's foster care problems the better.

Tuesday, August 23, 2005

Port Huron Times Herald

State must fix problems in foster care

Criminal background checks of providers must be ensured

In theory, at least, foster parents are supposed to be guardian angels. They open their homes to children who need refuge. Many have been physically or sexually abused. Others may have been subjected to an unacceptable home environment that put them at risk.

When these children are removed from their homes, the expectation is foster parents will ensure they're temporarily, at least, in a better place. Sadly, that isn't necessarily so.

Last week, the Michigan Office of the Auditor General delivered some disturbing news. The state's foster-care program is flawed in two critical ways:

The Department of Human Services, which operates the program, doesn't ensure criminal background checks are always made when a child is placed with a relative.

The department doesn't always check for criminal convictions of adults after the child becomes a member of the household.

State auditors found 321 foster-care providers and 32 other adults living with foster children had serious criminal records. Among their convictions were sexual assault, domestic violence and drug possession.

The report came from a review of computerized criminal-history information of 12,900 foster-care providers and adults in licensed foster-care homes from December 1998 to December 2003. In six selected foster homes that had an adult with a criminal background, auditors found five who were convicted of a crime after the department did a background check. Two were criminal sexual conduct convictions and three were for domestic violence.

State law doesn't require regular checks, but clearly, it should. And the absence of such a statute, state officials should make sure the checks frequently are done.

Last week's revelations raised an uproar. They have cast new doubts about the state's ability to properly ensure foster children are in good hands.

Someone has to look after those children. The state must take steps to shield them from providers who are or who live with felons.

Caring for Kids

The Detroit Free Press

August 22, 2005

Given the serious crimes committed by some foster parents and other adults in their homes, it's good news that the state will launch ongoing criminal background checks on foster families by the end of the year.

That should solve two problems cited by the state auditor general in a disturbing report issued last week. The first is a spotty record of criminal background checks when a child goes to live with a relative, a decision often made quickly and unexpectedly because of trouble at home. The second is failure to keep checking for convictions after a child arrives. No law or policy requires regular checks, but common sense does.

The audit sample suggests that 1% to 3% of foster children are in homes where an adult has a criminal record, including convictions for assault and rape. Not every offense is bad enough to require removing the children. But someone has to look out for them and raise the question.

The gap in background checks is just one of several the auditors found. Caseworkers' spotty paperwork covers only about two-thirds of the visits they're supposed to make with children in foster care. This surely shows that workers are overburdened, at least to the point that they can't keep up with their reports and possibly to the point that they aren't meeting standards.

Significant upgrades yet this year at the Department of Human Services will tie foster care lists with State Police records for monthly updates and improve computer systems so workers can file reports and coordinate information more easily. State budget constraints have left DHS behind schedule in some of this work, and other problems spotted by the audit may reflect two waves of state buyouts and early retirements that led to a 30% drop in staff since 1997.

State Sen. Bill Hardiman, R-Kentwood, has already announced he will hold hearings based on the audit. That should help get more information into the open. Lawmakers should ask for a follow-up audit to see if the promised DHS improvements pan out.

They also need to ensure that their own budget policies aren't creating even more cracks for these very vulnerable kids to fall through.

Boyfriend accused of shaking baby gets three years in prison

Tuesday, August 23, 2005

By John Tunison
The Grand Rapids Press

GRAND HAVEN -- A 24-year-old Holland man who police think shook a 5-month-old infant in February, causing a brain injury, will spend nearly three years in prison.

Juan Fidel Garcia-Medina was accused of injuring his girlfriend's daughter as he cared for her Feb. 28 at a Park Township apartment.

A doctor who examined the child said her injuries, bleeding on the brain and retinal hemorrhaging, were consistent with being violently shaken.

Monday, Garcia-Medina was sentenced to 32 to 48 months in prison for second-degree child abuse in Ottawa County Circuit Court. He originally was charged with first-degree child abuse, but reached a plea agreement with prosecutors in July.

The mother of the now-11-month-old infant said her child is doing well. In the hallway outside the courtroom, the baby sucked on a bottle in a stroller and showed no outward sign of the trauma.

"She's not taking any more medicine. There are no seizures and no problems," said the baby's mother, who did not want to be identified.

She disagreed with Judge Ed Post's decision to order prison time, still believing Garcia-Medina did not mean to harm her daughter.

"There were no signs of him being abusive or mean. He has kids of his own," she said.

Garcia-Medina told friends he was playing with the child and she slipped out his arms and hit her head, according to the mother.

She had gone to the grocery store, leaving Garcia-Medina with her child, when injuries that included a skull fracture occurred.

The mother said prosecutors told her Garcia-Medina likely would serve six months in jail and be deported. She was surprised at the prison sentence.

The Grand Rapids Press

August 23, 2005

Letters to the editor

Justice for mother?

It is a shame that a young woman who lost her baby in a tragic accident -- perhaps preventable, as most accidents are, but an accident nonetheless -- should be "stoned" by a prosecutor and judge and perhaps others rather than shown the compassion she deserves ("Baby's death 'very horrible' -- Mother who left infant in car to stand trial for involuntary manslaughter, child abuse," Press, Aug. 16).

No one knows more fully than she the horror of the tragedy, or feels so deeply the significance of the loss. It strikes me as arrogant and cruel to assume that "we" somehow bring justice to the innocent baby by condemning his mother. I wonder what the baby would say if he could speak? Would he condemn the mother who birthed and nurtured and loved him?

Would he want "us" to? If authorities in the justice system feel compelled to speak for the child, then perhaps they might consider who the victims are in this tragedy, and not so self-righteously assume that their indignation and desire for vengeance is more honorable than compassion for a child and his mother and father. The love they shared and lost in this tragedy is not for society to belittle, nor to assume it is something their version of "justice" is somehow greater than.

TERESA UNGER/Paris

Teacher sex case plea deal offered

Tuesday, August 23, 2005

JOE SNAPPER
THE SAGINAW NEWS

CARO --A 27-year-old teacher whose pastor's tip to police led to charges of a sexual affair with an eighth-grade student is considering a plea deal to avoid prison, authorities said.

Kristen A. Margrif must decide by Wednesday, Aug. 31, whether to accept a plea bargain that likely would cost her a year in jail and up to four years on probation -- rather than up to 15 years in prison and no probation if convicted.

Prosecutors said Monday in a hearing in Tuscola County District Court they would allow Margrif, an English teacher at Kingston High School, to plead guilty to three counts of second-degree criminal sexual conduct.

Margrif originally faced eight counts of sexual contact with the 16-year-old. Seven were third-degree, a 15-year felony. They met between June 25 and July 18 in venues as varied as automobiles and inside local businesses, investigators said.

"The difference between second and third is with the sentence itself," said Assistant Tuscola County Prosecutor Tim Rutkowski. A third-degree conviction precludes probation, he said.

Prosecutor Marc Reese said this morning that the victim's family signed off on the deal.

The Saginaw News could not reach Margrif's attorney, M. Allen Robb of Flint, early today.

The trysts took place in Margrif's car and inside a resale shop called Nana's Attic, at M-24 and M-46, where the teen worked this summer, police and prosecutors said.

Margrif admitted the four-week affair to her husband and eventually to a family pastor who was forced by state law to inform police of a possible crime against a minor.

It was the tip from the pastor --he leads a church in Lapeer County's Mayville Township --that prompted Margrif to come forward and provide information to authorities, police and prosecutors said.

Prosecutors charged her under a state law making it illegal for a teacher to have sex with a student younger than 18 who attends the school where the teacher works, even though the legal age of consent is 16.

A four-year employee of the 704-student Kingston Community Schools, Margrif taught English to students in grades eight and above. The high school houses grades seven through 12.

The teen was planning to continue attending school at Kingston High School, Superintendent George Bednerek has said. He said the school district would not take action against Margrif until a conviction. The News could not reach him this morning.

Margrif's next scheduled court date is Friday, Sep. 2, for a preliminary exam before Tuscola District Judge Kim D. Glaspie.

Joe Snapper is a staff writer for The Saginaw News. You may reach him at 776-9715.

Cop's computer searched

Tuesday, August 23, 2005

By Pat Rombyer prombyer@citpat.com -- 768-4924

The contents of a computer and other electronic items belonging to an Albion Public Safety officer are being investigated by forensic experts at the Calhoun County Sheriff's Department. Officer Kyle Chaney, 39, a 14-year veteran with the department and this year's Officer of the Year, was placed on administrative leave Friday after being charged with four felony counts involving child pornography.

Chaney is accused of taking nude photographs of a minor.

Lt. Matt Saxton of the Calhoun County Sheriff's Department said complaints were filed Aug. 2 alleging that Chaney had possession of child pornography at his residence and on his computer, but the first opportunity officers had to talk to the victim was Thursday morning.

The four counts are child sexual abuse, which carries a maximum 20-year prison sentence; possessing child sexually abusive materials (four years), accosting a child for immoral purposes (four years) and second-degree child abuse (four years).

Forensic computer experts are examining the contents of Chaney's personal computer, CDs, DVDs and videos seized from his home Thursday.

Officers from the Calhoun County Sheriff's Department obtained a search warrant for the items Thursday afternoon, after verifying with the alleged victim complaints made by others earlier in the month. The alleged victim's name is being withheld by police.

Investigators offered few details about what brought on the charges. Police said the alleged criminal activity occurred between June 1, 2004, and August of this year -- apparently during Chaney's off-duty hours.

"We showed him the search warrant (Thursday), and he accompanied our detective to Marshall for a voluntary statement," Saxton said. "Based on his statement and what we found in the home, he was lodged (in jail)."

This morning, Chaney remained in the Barry County Jail, where he is being held on \$500,000 bond. A preliminary examination is set for Aug. 29 in Calhoun County District Court, Battle Creek. A prosecutor from the Kalamazoo County Prosecutor's office will handle the case.

Treasurer's child porn trial put on hold by appeals court

Tuesday, August 23, 2005

By John S. Hausman
CHRONICLE STAFF WRITER

The Michigan Court of Appeals has ordered postponement of the child-pornography and eavesdropping trial of Egelston Township Treasurer Brian Lee Hill, which was to start today.

The higher court's order is to give the appellate judges time to consider Hill's emergency pretrial appeal of 14th Circuit Judge Timothy G. Hicks' recent ruling on a key question of law: Is downloading photographs from the Internet onto disks for personal use "making" child pornography, a felony punishable by up to 20 years in prison? Or is it simple "possession," a four-year felony?

No higher Michigan court has ever ruled on the issue, meaning a decision in Hill's case would set a precedent for the entire state.

The appeals court's action is expected to postpone Hill's trial for at least four to six months.

Hill's lawyer, Frank E. Stanley of Grand Rapids, contends the case should be prosecuted under the "possession" part of the statute governing child pornography. Earlier this year, he filed a motion to quash, or dismiss, five counts against Hill of making or producing child sexually abusive material and five counts of using a computer to commit those crimes -- also a 20-year felony. The Muskegon County Prosecutor's Office countered that the original, tougher charges were the correct ones.

Last month, Hicks agreed with the prosecution, rejecting the motion to quash. Later, on Aug. 1, Hicks rejected a defense motion to postpone the trial so Stanley could appeal the ruling on a speeded-up basis before trial.

A week after that, Stanley asked the appeals court to overrule Hicks by delaying the trial, and he also filed his appeal on the underlying issue -- asking for expedited consideration so a decision would take months, rather than the usual two to three years.

In an order issued late last week, the appeals court agreed to hear the case before trial.

The next step is for both sides to file briefs, followed by oral arguments possibly in November, with a decision expected one to three months after that.

The child pornography counts stem from police discoveries of numerous images of young boys engaged in sex acts found on computer disks in Hill's home. The images were downloaded from commercial Web sites.

In addition, Hill faces three counts of eavesdropping by installing a video device, a two-year felony, for snooping with a hidden camera on male teenage exchange students using the shower in his home at 1265 Drent.

Last week, the Egelston Township Board unanimously rejected Hill's attempt to resign his full-time elected position. Board members wanted Hill on hand to answer questions about the township's annual audit and other financial matters.

Auditors say the township needs to reconcile accounting differences between the township's books and bank records: specifically, a \$7,900 difference in the sewer fund and a \$16,328 difference in the general fund. Hill, 37, a Democrat, was arrested two weeks after his re-election last November.

County sex offenders targeted

Wayne communities make sure pedophiles report their whereabouts, have limited access to school campuses.

By Catherine Jun / The Detroit News

August 23, 2005

The thought of a convicted pedophile stepping onto a school campus can be horrifying for a parent.

It's both possible and legal in Michigan.

While state legislators are poised to adopt laws restricting convicted sex offenders' access to school property, police departments in western Wayne County are taking matters into their own hands to protect children from predators.

Police in Canton Township recently performed their first sweep of convicted sex offenders in the township. They targeted convicted sex offenders on the state's public registry who live in the township, checking to determine whether they had reported their place of residence to the police as required by law.

Police checked the records of 64 convicted offenders living in the township, with offenses ranging from indecent exposure to criminal sexual conduct in the first degree. The police charged eight of them for failing to report address changes or report them in a timely manner.

"It certainly reinforced the need for us to make sure people living in this community are in compliance," said John Santomauro, director of public safety.

Officers will now randomly knock on doors where registered offenders live, Santomauro said.

Police in Plymouth Township similarly have begun monitoring the activities of registered sex offenders living within their borders. Authorities became more watchful when they discovered several months ago that a convicted sex offender was participating in an adult volleyball league and sharing the locker room with students at Central Middle School.

After being informed of the incident, Superintendent Jim Ryan of the 18,000-student Plymouth-Canton district asked the school system's attorneys to investigate adopting a district policy that would keep sex offenders with crimes against children off their campuses.

The attorneys will update the board with their findings in an executive session in September, Ryan said.

Sex offenders targeted

- Canton, Plymouth and Northville townships are taking proactive measures to ensure convicted sex offenders comply with the state registration.
- Michigan's public sex offender registry includes 19,000 of the state's 36,000 convicted offenders. The registry can be searched at

"We want to protect our students and staff," Ryan said. "We also want to make sure we're not violating anyone's rights."

Stephanie Goecke, 44, a mother of two in Plymouth Township, said she trusts the district to handle the matter. But as a parent, she said she's still concerned.

"The bottom line is there is no assurance," she said.

Goecke said she struggled to teach her children "what to look out for, to give them some skills, and at the same time not have them terrified all the time."

State legislators introduced a series of bills following reports in The Detroit News that showed repeated cases of sex offenders being allowed access to children in Michigan schools.

The bills, if adopted, would mandate statewide background checks for school and day-care employees, prohibit sex-offenders from employment in schools, revoke teaching certification for convicted sex offenders and require all school employees to self-report any criminal charge to the school or the education department.

The legislation also would prohibit convicted sex offenders from living, working or loitering within 1,000 feet of a school.

Plymouth Township Police Chief Tom Tiderington said the legislation still needs more bite.

"The law isn't good enough," Tiderington said. As the bill is written now, it contains potential "loopholes" for offenders, such as allowing them to participate in recreational activities on school campuses.

Parts of the 14-bill Student Safety Initiative is scheduled for votes in the state House and Senate, and will be on the desk of the Governor for approval in the next month, said Matthew Resch, spokesman for the Michigan legislature.

Whatever happens with the law, a consortium of Western Wayne County police will be monitoring convicted pedophiles and checking to see they are not going to places where children recreate, such as parks and playgrounds, Santomauro said.

You can reach Catherine Jun at (734) 462-2204 or cjun@detnews.com.

August 23, 2005

Police say background check fixes are in progress

System missed felony record of Americorps administrator

By KEITH MATHENY

Record-Eagle staff writer

CHARLEVOIX - State police knew about and were trying to fix shortcomings in a criminal background check system that failed to ensnare a local school official whose name change hid his criminal past.

Improvements to the Internet Criminal History Access Tool, or ICHAT, are underway, said state police Lt. Col. Tom Miller, but won't be in place until late this year.

A state criminal check did not unearth the felony background of Char-Em Intermediate School District AmeriCorps administrator Arthur Kirk, 70, who recently was charged with felony weapons crimes.

Kirk was arrested after police discovered his past as Arthur Kirkeby. He has a lengthy criminal record that includes sex crimes with children. The discovery occurred after Kirk applied for a concealed weapons permit and submitted to a federal fingerprint check.

A criminal check of Kirk sought by school officials used the state's ICHAT system, and supplied his date of birth, Social Security and driver's license numbers. Because Arthur Kirk had no criminal history, his background as Arthur Kirkeby did not pop up on computer screens.

State police since added Kirk's name to the system. But ICHAT's name-recognizing limitations are still evident. If "Art Kirk," the name Kirk often goes by, is typed into the system, it does not return a criminal history.

That should change by year's end, Miller said. State police hope to improve the system to red-flag name similarities, and other upgrades emphasize information such as driver's license and Social Security numbers, he said.

Police also agreed to work with state education officials on developing guidelines for background checks on volunteers in positions such as the one Kirk held. School employees such as teachers and bus drivers are already required to submit to background checks that include a federal fingerprint search.

The Kirk case "has gotten the attention of the educational community statewide, and has caused school districts to reevaluate their procedures," said Charlevoix Police Chief Dennis Halverson, who also serves as president of the Charlevoix school board.

School officials said it's impractical to fingerprint all non-employees. Char-Em director of administrative services Rick Diebold said such tests take up to eight weeks and can cost \$85 each.

Kirkeby legally changed his name to Kirk in an Ingham County Probate Court proceeding in 1985. He said the name change was to simplify the pronunciation of his last name. The probate court record makes no mention of his multiple felony convictions.

The state corrections department Web site indicates Kirkeby was discharged from prison on Oct.

20, 1986. He served five years and four months on a first-degree criminal sexual conduct conviction.

Charlevoix County Prosecutor John Jarema said it's not clear whether Kirkeby legally changed his name while in prison or while on monitored release before he was discharged from the corrections system.

Char-Em superintendent Mark Eckhardt said he remains concerned the state police check didn't alert the district to a felon's past.

"I just cannot fathom that that information wouldn't transfer from one system to another," he said.

Kirkeby's name change is also of concern to state Rep. Kevin Elsenheimer, R-Bellaire. A Michigan law enacted a few years ago requires anyone seeking a name change to submit to a fingerprint background check. A judge can consider whatever information that check reveals in deciding upon the name change. Kirkeby's name change occurred before the law was enacted.

"We may have to consider legislation that takes the judge's discretion out of it, that if you've been convicted of a sex crime, you have no ability to change your name whatsoever," Elsenheimer said.

The state police's ICHAT system has received 850,000 queries since its inception in 1999, Miller said. The state system has linked to a national criminal database within the past month, which should help reveal individuals' criminal histories in other states, Miller said. But only about 22 states are in the national database so far, he said.

Cadillac Evening News

Tuesday, August 23, 2005

Safety legislation could benefit consumers and local economy

REED CITY - The proposed Kids and Car Safety Act (HR2230) co-sponsored by Rep. Dave Camp, R-Midland, would provide multiple benefits to children, families and the Reed City community.

The bill intends to reduce incidences of child injuries and death inside and outside of motor vehicles. If passed, it would give the Transportation Department authority to require power windows in vehicles to be outfitted with auto-reverse sensors to detect obstructions preventing injury and strangulation.

It would also require devices to provide unobstructed views of the rear of the vehicle, preventing drivers from backing into small children or disabled persons, and mandate installation of systems to alert drivers of any persons remaining in the vehicle when the vehicle is turned off.

Nartron Corp., a Reed City manufacturer, holds a patent on advanced power window anti-trapping technology and is poised to become a leading supplier of the devices for the 17 million vehicles sold annually in the United States. The company recently licensed the technology to a major Japanese automaker and is in negotiations with a French carmaker.

Nartron president Norman Rautiola estimates the legislation could generate hundreds of millions in sales and create both white and blue collar jobs for the area.

The bill has been referred to the subcommittee on Commerce, Trade and Consumer Protection.

Training to protect potential victims

Tuesday, August 23, 2005

By Salina Alisali@citpat.com -- 768-4927

The Office of Justice Programs is sponsoring regional training on vulnerable adult abuse for prosecutors, advocates and law enforcement officers to meet the needs of a growing aging population and 54 million people nationwide with disabilities.

Training sessions run until November and will teach participants skills needed to identify adult abuse, obtain accurate information from vulnerable adults and determine proper measures to offer assistance.

The sessions titled "Understanding and Investigating Vulnerable Adult Abuse and Neglect: The Role of Law Enforcement" will be taught in Livonia, Gaylord, Midland and Lansing.

Vulnerable adult abuse can take many forms including neglect and physical, sexual, financial and psychological abuse. Vulnerable adult abuse is the harming of older individuals or a person with a physical or mental disability.

An estimated 80,000 Michigan citizens 60 and older are victims of vulnerable adult abuse, said Col. Tadarial J. Sturdivant, the director of the Michigan State Police. By the year 2010, the number of cases statewide could reach 100,000, Sturdivant said.

The training also will aid police, prosecutors and advocates teaching them how to work and understand people with disabilities. Training will be offered by the Michigan State Police, Wayne State University Developmental Disabilities Institute, the Office of Services to the Aging and the Michigan Coalition Against Domestic and Sexual Violence.

Michigan Report

August 22, 2005

VULNERABLE ADULT ABUSE TRAINING

AVAILABLE: Training for law enforcement personnel on dealing with accusations of vulnerable adult abuse is now available, the Department of State Police announced Monday. The training is made available through a federal grant and will be conducted by the State Police, the Wayne State University Developmental Disabilities Institute, the Office of Services to the Aging and the Michigan Coalition Against Domestic and Sexual Violence, and officials hope to train as many as 500 police officials.

Numbers to call

Jackson Citizen Patriot

Tuesday, August 23, 2005

If you or someone you know is a victim of vulnerable adult abuse, contact your local law enforcement agency, the Michigan Department of Human Services, the Adult Protective Services or any of the following:

Vulnerable Adult Help line: (800) 996-6228

Citizen's for Better Care: (866) 485-9393

Legal Hotline for Michigan Seniors: (800) 347-5297

National Domestic Violence Hotline: (800) 799-7233

Reforming Medicaid by a Carolina waiver

Editorial

Sunday, August 21, 2005

Michigan policymakers should watch closely the developments on an issue of interest in South Carolina. That state is seeking a federal waiver for a dramatic new approach to funding Medicaid, the huge state-federal health-insurance program for the poor, elderly and disabled. Given Michigan's Medicaid crisis, the South Carolina plan is an interesting alternative. Earlier this summer, South Carolina officials submitted a 42-page waiver request to the federal Centers for Medicare and Medicaid Services, seeking consent to do what the law does not permit.

The proposal is to establish personal health accounts for most of the state's 850,000 Medicaid recipients. Using the account funds, a recipient could either purchase private health insurance or pay for care directly.

The amount allocated to each account would depend on the recipient's age, gender and physical condition.

It is small wonder that both advocates and critics claim this system would "redefine health care in the United States." The aim of the waiver is to revise one state's Medicaid system, but its impact could include a state-led reform movement similar to what happened years ago with welfare reform.

How does the South Carolina plan differ so radically from the Medicaid system now in place in the states? Typically, the states receive federal funds to offer Medicaid coverage to those who meet the eligibility criteria. The states contribute their own funds and may even, as in Michigan, leverage more funds by taxing Medicaid providers (hospitals, nursing homes, etc.). But the bottom line is that Medicaid recipients are entitled to receive approved health-care services -- regardless of cost.

In other words, there is no incentive for recipients to be frugal users of health-care services. Michigan's own experience demonstrates the problem. In 2000, the Medicaid caseload was 1 million; it is now 1.45 million. In 2000, the state was spending less than \$5 billion on the program; this year it is spending an estimated \$7.5 billion. Medicaid is 25 percent of Michigan's general fund -- well above South Carolina's 19 percent, which is only expected to hit 24 percent in five years.

Here is the potential savings in the South Carolina approach: The individual accounts would be capped. If a Medicaid recipient's health-care costs exceeded what is in the account, the recipients would have a choice -- either make up the difference themselves, or forgo the care.

Yes, that is a hard choice. Some critics will argue we're talking about the most vulnerable people in our society, and that they deserve a safety net without any holes -- or caps. But simple math argues another reality: A program that has grown 120 percent over the past decade, while revenues increased less than 10 percent, is a program that is unsustainable and will eventually bankrupt the states.

We suspect that it will take, not just caps such as South Carolina seeks to use, but some tough new limits on Medicaid eligibility. The whole population of the needy cannot be taken on as a charity project; government should focus on the neediest of the needy.

Meanwhile, the South Carolina experiment is crucial. The federal government should expedite that waiver request so that the experiment can get under way.

And Michigan policymakers should begin putting together their own thoughts on creative ideas to restructure Medicaid in Michigan.

The system is broke. How are we going to fix it?

The Jackson Citizen Patriot

Medicare Law Prompts a Rush for Lobbyists

By ROBERT PEAR
The New York Times

Published: August 23, 2005

WASHINGTON, Aug. 19 - The new Medicare law has touched off explosive growth in lobbying by the health care industry, whose spending on advocacy here far exceeds that of consumer groups and other industries like defense and banking.

Almost every week the federal government issues new rules or guidelines to carry out the 2003 law, which provides a drug benefit starting in January. To keep track of the new rules and to decipher their meaning is a full-time job for hundreds of lawyers and lobbyists, who regularly seek changes advantageous to their clients.

With hundreds of billions of dollars at stake, health care providers, insurers, drug makers and pharmacies are continually trying to influence rules for the drug benefit and other initiatives authorized by the law.

"You see a real surge in health care lobbying because that's where the money is," said Frederick H. Graefe, a lobbyist for hospitals and makers of medical equipment. "Twenty years ago the defense industry was dominant and had the most lobbyists, the big players. Now it's health care." Last year alone, the health care industry spent \$325 million - more than any other sector - in its efforts to influence Congress and federal agencies, according to Political Money Line, a nonpartisan group that studies reports filed with Congress by lobbyists and their clients. Drug companies led the way. They reported spending \$86.9 million on lobbying last year, followed by hospitals with \$55 million and doctors with \$35.4 million.

Lobbying Congress nowadays often means persuading lawmakers to make telephone calls to Bush administration officials on behalf of clients concerned about specific issues, like the Medicare payment for a drug or a medical device.

The pinpoint focus of much lobbying is illustrated by the case of Lexapro, an antidepressant made by Forest Laboratories. The Bush administration has said that Medicare drug plans must cover "substantially all" antidepressants, but not necessarily Lexapro, a drug widely prescribed for depression and anxiety among older adults. Claudia Schlosberg, a lawyer with Blank Rome who represents Forest Laboratories, has been pressing Medicare officials to reverse that decision and has obtained letters from several members of Congress supporting the company's position in favor of covering Lexapro.

"Every health care interest has a voice on Capitol Hill," said Elizabeth J. Fowler, a lawyer who recently left the Democratic staff of the Senate Finance Committee to join a consulting firm. "What you lose in the process is consumer and beneficiary voices. We heard a lot more from industry interests than from beneficiaries."

Chris Jennings, who became a lobbyist after serving as health policy coordinator for President Bill Clinton, said: "The proliferation of health care lobbyists produces specialization. The broader good is often lost as people focus on next year's Medicare reimbursement rate for a specific group of health care providers, or a regulation to be issued next month."

The health care industry is subject to pervasive federal regulation, and the government sets prices for many goods and services provided to the elderly under Medicare. But the Bush administration and the Republican majority in Congress are receptive to advice from the industry, including private insurers who will deliver the drug benefit.

"The success of the new Medicare law depends on a robust partnership between government and the private sector," said Stacey Hughes, a partner in the lobbying firm established by former Senator Don Nickles, Republican of Oklahoma.

Health policy experts and officials said the growth of health care lobbying reflected several trends:

¶ Congress earmarks more and more money each year for specific hospitals, medical schools and health care projects. Health care providers and local officials have a better chance to obtain such largess if they retain lobbyists to plump for their projects on Capitol Hill.

¶ Lobbying has become more substantive. To buttress their arguments, lobbyists need data, cost estimates and economic analyses of health policy proposals. They retain expert consultants to prepare such reports.

¶ Lobbyists have adopted many techniques of political campaigns. They hire pollsters and buy advertising to sway public opinion and pressure Congress.

¶ Many lobbyists have carved a niche for themselves by focusing on one party, one house of Congress, one Congressional committee or a handful of influential lawmakers.

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Carol A. McDaid, a health care lobbyist at Capitol Decisions, a subsidiary of the Van Scoyoc Companies, said, "It's become so sophisticated that, in preparation for a critical vote, a big health care or pharmaceutical company will hire a different firm to lobby each key member of an important committee, like the Ways and Means Committee."

The Pharmaceutical Research and Manufacturers of America reported spending \$15.5 million on lobbying last year, while two of its members, Pfizer and Bristol-Myers Squibb, spent \$5.6 million apiece and Johnson & Johnson spent \$4.5 million.

Other heavyweight lobbies included the American Medical Association, which spent \$18.5 million last year, and America's Health Insurance Plans, which spent \$5.6 million, about the same amount as the Blue Cross and Blue Shield Association.

By contrast, AARP, the lobby for older Americans, spent \$8 million. The American Cancer Society spent \$2.6 million, the American Heart Association spent \$1 million and Families USA, the liberal group that calls itself a voice for health care consumers, reported spending \$40,000.

Alan B. Mertz, president of the American Clinical Laboratory Association, said the advocacy budget for his group had more than tripled, to \$2.5 million this year from \$750,000 in 2002. "We had to beef up our advocacy to deal with threats to our Medicare reimbursement," Mr. Mertz said, noting that Medicare payments for laboratory tests had been frozen through 2008.

Lobbyists said it made sense for their clients to pour money into lobbying because so much money was at stake. Health care accounts for more than 15 percent of the nation's economy, and private insurers often look to Medicare as a guide in deciding what services to cover and how much to pay.

Moreover, the federal role is growing. Medicare and Medicaid will account for 37 percent of all spending on prescription drugs next year, up from 20 percent this year, said Stephen Heffler, an economist at the federal Centers for Medicare and Medicaid Services.

The Bush administration and the Congressional Budget Office say Medicare will spend more than \$1 trillion on prescription drugs in the next 10 years, with outlays topping \$100 billion a year after 2009.

Two linguistic changes show how health care lobbyists have emerged as a potent force.

Lobbyists and trade associations, once seen as special interests, are now called "stakeholders," with a legitimate claim to be heard in the policy-making process.

"Expanding coverage" used to mean providing health insurance to people who had none. But lobbyists now use the term in a different sense. When they speak of "coverage expansions," they mean that Medicare should cover, or pay for, new technology like PET scans, implantable defibrillators and drug-coated stents to treat clogged arteries.

Political campaign contributions are frequently coordinated with lobbying campaigns. Lobbyists often hold fund-raisers at the request of members of Congress, as allowed by campaign finance laws. They are expected to contribute money from their own pockets and to raise money from clients.

"You increase your influence and access by doing fund-raisers," said James C. Pyles, a lawyer and lobbyist for psychoanalysts and home care agencies. "If you're not on the donor list, you don't have much access."

Ms. McDaid, who lobbies for hospitals and ambulance companies, said: "In the old days, the requests for political giving went mainly to your clients' political action committees. Now health care lobbyists have to tithe personally. The bigger your client base, the more pressure there is to give. It's not unusual for a lobbyist at a big firm to give \$25,000 to \$50,000 in personal contributions to Congressional candidates in a two-year election cycle."

The growing prominence of health care issues on the national agenda has created an unquenchable demand for lobbyists. New issues include bioterrorism, stem cells, health information technology, the privacy of medical records, television advertising of prescription drugs and the importing of drugs from Canada.

Republicans are in demand at lobbying firms and trade associations, but so are knowledgeable Democrats.

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John E. McManus, who formed his own lobbying firm after working for Republican members of the House Ways and Means Committee, received a total of \$620,000 last year from the American Medical Association, the Advanced Medical Technology Association, the Pharmaceutical Research and Manufacturers of America and several drug companies, including Merck and Genentech. Mr. McManus can help them navigate the new Medicare law because, as a Congressional aide, he helped write it.

On the other side of the political spectrum, David H. Nexon, a health policy adviser to Senator Edward M. Kennedy for more than two decades, stepped down in February to become senior executive vice president of the Advanced Medical Technology Association, the lobby for makers of medical devices like Medtronic and Guidant.

Charles M. Brain, director of legislative affairs for President Clinton, reported that he got \$240,000 last year for representing the Pharmaceutical Research and Manufacturers of America. Stephen J. Ricchetti, deputy chief of staff in the Clinton White House, lobbies for Eli Lilly & Company, Novartis and Pfizer.

Richard J. Pollack, executive vice president of the American Hospital Association, said health lobbying had become more partisan.

"We hire Republicans to lobby Republican members of Congress and Democrats to work Democratic offices," Mr. Pollack said.

The Generic Pharmaceutical Association has retained Mr. Jennings and Mark W. Isakowitz to lobby for legislation to increase the use of generic drugs. As a White House aide, Mr. Jennings helped devise the Clinton plan for universal health insurance. As a lobbyist at the National Federation of Independent Business, Mr. Isakowitz, a Republican, helped defeat the Clinton plan.

As the costs of Medicare and Medicaid soar, federal prosecutors and members of Congress are investigating fraud and abuse with new zeal. Many health care companies find they need more lawyers and lobbyists to cope.

In a recent advertisement recruiting lawyers for its Washington office, Sidley Austin Brown & Wood, one of the nation's largest law firms, said its health care practice had "experienced tremendous growth."

Jones Hones In On Parental Rights For Those Serving In The Military

Today, Rep. Rick **JONES** (R-Grand Ledge) announced that he is introducing legislation this week designed to protect service personnel from losing parental and custodial rights due to being deployed.

"I was contacted by an Army Michigan National Guard soldier from Grand Ledge who explained that the Ingham County Friend of the Court was refusing to restore his parental rights due to his recent activation to Iraq," Jones said. "Prior to being deployed, he had 50/50 custody of his son. While working to defend our freedoms, the FOC held a hearing and determined he had little meaningful interaction with his child during his tour of duty."

Jones said the FOC also demanded to know what, if anything, he had done for his child during the last year.

"I was shocked at the question," Jones said. "Besides the most obvious, defending our freedoms, he did everything he could while deployed to Iraq including writing letters, calling home, voluntarily paying child support, and attempting to visit during his leave."

An FOC employee told Jones' office the son's life had continued during the guardsman's absence. The boy was now in a new school, with new friends and had been living with his mother - all of which was held against the soldier's original claim to custody. The FOC employee also implied that it was inappropriate for the serviceman to wear his uniform on his daily visits to their office.

"He has earned the right to wear that uniform," Jones said. "I am shocked by the prejudice against one of our service members. We must remember that freedom isn't free and we owe a great debt to our citizen service-members for putting themselves in harm's way on a continual basis."

Jones is also concerned with the message the FOC's treatment is sending to society. Many soldiers are asking for a "hardship discharge," though still an "honorable discharge," a hardship discharge denotes that a member must be released from duty to return home to prevent the complete loss of parental rights.

"It is telling our troops, 'Go, fight, but you may lose your kids,'" Jones said. "What is even worse, is the message that children are receiving, 'Your parents, who are fighting for your protection, aren't contributing anything to your well-being.' That is just absurd!"

Jones' proposed measure would bar the FOC from considering a soldier's tour of active duty as abandonment or counting it against them during determination of custody hearings. Jones says there have been 15 to 20 similar custody issues statewide in the past three years.

"Since we began looking into this situation, we have been told of similar cases around the state," Jones said. "I will fight this shameful treatment of our brave service men and women. We shouldn't add to their sacrifices by taking away their families."

High Court Protects Kids of Calif. Gays

*By DAVID KRAVETS
Associated Press Writer
Aug 23, 4:14 AM EDT*

SAN FRANCISCO (AP) -- In the latest ruling to recognize rights of same-sex couples, the California Supreme Court has said gay and lesbian couples who raise children are lawful parents and must provide for their children if they break up.

The state's custody and child support laws that hold absent fathers accountable also apply to estranged gay and lesbian couples who used reproductive science to conceive, the high court ruled Monday.

Being a legal parent "brings with it the benefits as well as the responsibilities," said Justice Joyce Kennard.

The decision comes a month after the justices ruled that a California domestic partner law grants gays and lesbians who register with the state many of the same rights as married couples, but does not allow them to marry.

"The court is now protecting the children of same sex parents in gay families in the same way children are protected with heterosexual couples in heterosexual families," said Jill Hersh, who argued the case of a Marin County woman who was granted the right to be the second mother of twins after the birth mother moved out of state.

However, groups opposing gay marriage decried the justices' actions.

"Today's ruling defies logic and common sense by saying that children can have two moms," said attorney Mathew Staver of Liberty Counsel. "That policy establishes that moms and dads as a unit are irrelevant when it comes to raising children."

The ruling stemmed from three cases involving lesbian parents.

In the Marin County case, the court gave parental rights to Hersh's client, who had donated her eggs to her lesbian lover. The partner then had twins. After the couple split up, a lower court said the egg donor was not a legal parent because she did not give birth.

Lower courts and dissenting justices noted the woman, K.M., voluntarily signed a document declaring her intention not to become a parent of any resulting children, and should not be granted parental status.

But Justice Carlos Moreno, writing for the 4-2 majority, said a woman who supplies eggs to help impregnate her lesbian partner, with the understanding the child will be raised in their home, cannot evade her responsibility to that child.

In the other cases, an El Dorado County woman was ordered to pay child support for her former lesbian partner's biological children, and a woman from Los Angeles was told she could not legally terminate the parental rights of her former lesbian lover, years after obtaining a court order stipulating both were parents.

Both cases were decided unanimously.

Emily B., the El Dorado County woman whose former lover, Elisa B., must now pay to support the children, said she might be able to get off of welfare now.

"I'm absolutely overjoyed today," she said.

The court followed its 2002 decision in which it said men who establish themselves as parental figures may become legal fathers even if they did not help conceive the child.

"These legal principles apply with equal force in this case," Kennard wrote in a concurring opinion in the Marin County case.

In a sign of the broad acceptance same-sex parents have in California, the state attorney general's office supported the women who had asked the justices for an updated interpretation of the state's parental rights laws. Several child-advocacy organizations filed friend-of-the-court briefs taking the same side.

On the Net:

California Supreme Court: <http://www.courtinfo.ca.gov/courts/supreme/>

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California Ruling Expands Same-Sex Parental Rights

By ADAM LIPTAK
The New York Times

Published: August 23, 2005

The California Supreme Court ruled yesterday that both members of a lesbian couple who plan for and raise a child born to either of them should be considered the child's mothers even after their relationship ends.

The court, stepping into largely uncharted legal territory concerning same-sex couples and parenting, issued decisions in three cases, ruling that women whose partners gave birth had parental rights or obligations in all three.

The cases involved a request for child support, a petition to establish parental rights and an attack on a lower court ruling issued before a child's birth that the child should have two women listed as parents on her birth certificate.

"We perceive no reason," the Supreme Court ruled, "why both parents of a child cannot be women."

Courts in about half the states have allowed members of same-sex couples to adopt their partners' children. Yesterday's decisions considered the separate question of whether the law could require former members of such couples to assume parental rights and obligations.

The cases all involved unorthodox conceptions, and the Supreme Court struggled to apply sometimes inapt state laws to them.

"While scientific advances in reproductive technology now afford individuals previously unimagined opportunities to become parents," wrote a dissenting justice, Kathryn M. Werdegar, "the same advances have also created novel, sometimes heartbreaking issues concerning the identification of the resulting children's legal parents."

The decisions broke new ground, advocates on both sides agreed.

"It is unprecedented around the country," said Joan Hollinger, who teaches adoption law at the University of California, Berkeley, "to have a state's highest court recognize that in the absence of an adoption, and even in the absence in some instances of a domestic partnership agreement, that two men or two women could be the full legal parents of a child born through assisted reproduction." Ms. Hollinger submitted supporting briefs on behalf of the children involved.

But the rulings troubled lawyers for groups defending what they called traditional values.

"You've essentially begun to undermine and unravel the family," said Mathew D. Staver of Liberty Counsel, a law firm that submitted briefs arguing against the recognition of two same-sex parents.

The decisions may also have implications for same-sex marriage in California. The question of whether the state Constitution requires the recognition of such marriages is before a state appeals court.

"If these cases are any indication," Mr. Staver said, "it makes it look like they're tending toward recognition of gay marriage."

The only one of the three decisions that provoked dissents, and the only one that seemed to leave open the possibility of an appeal to the United States Supreme Court, involved a woman identified as K. M., who provided an egg to her lesbian partner. The partner, E. G., gave birth to twin girls. K. M. had signed a form giving up her claims to any child at the time of the donation but, after the couple broke up, filed a lawsuit to establish her parental rights.

The Supreme Court, in a 4-to-2 decision, ruled for K. M. notwithstanding a state law that says a man who donates his semen to impregnate a woman who is not his wife is not a legal father.

Justice Werdegarr, dissenting, suggested that treating the donation of sperm differently from the donation of an egg "inappropriately confers rights and imposes disabilities on persons because of their sexual orientation" and so "may well violate equal protection."

The United States Supreme Court does not ordinarily hear cases considering questions of pure state law. But it could hear a claim under the federal Constitution's equal protection clause.

Diana Richmond, who represented E. G., said her client had not decided whether to appeal.

K. M., who declined to give her full name "to protect the privacy of my children," said in an interview arranged through her lawyer that she welcomed the decision.

"Next to the day my daughters were born," she said, "this is the happiest day of my life."

The other two decisions yesterday did not involve donated eggs.

In one, the court ruled that a woman identified as Elisa B. must pay child support to her former partner, who gave birth to twins while the women were a couple. The court made its determination based on commitments the women had made to each other and their treatment of the children each of them had while they were together.

In the third decision, the court ruled that a woman identified as Kristine H. did not have the right to challenge an earlier decision that granted her former lesbian partner parental rights, including putting her name on the birth certificate of Kristine H.'s child in the space provided for "father."

The court based its decision on Kristine H.'s participation in the earlier proceeding.

Lawyers on the losing sides of the decisions said that the rulings would give rise to confusion between competing state laws, with someone said to be parent in California, for instance, not considered one if she moved to Texas.

Two decades of serving the needy

The Kalamazoo Gazette

Editorial

Tuesday, August 23, 2005

For more than 20 years, homeless and other low-income people have had a place to go during the day.

It was a small place at first, at North Presbyterian Church, but those who first dreamed of Ministry With Community had plans for something bigger and better.

What if it could provide laundry and shower facilities for people who otherwise don't have access to washers, dryers and baths?

What if it could provide the mailing address for people who otherwise would have none?

What if it could offer tutoring, counseling, skills training, job- and housing-search help, access to transportation and telephones, even new shoes, socks and underwear?

Twenty years after Ministry With Community formally incorporated as a non-profit agency, all those dreams have been realized.

A program to celebrate Ministry With Community's 20 years as an incorporated nonprofit will take place from 4 to 6 p.m. Wednesday at the agency, 440 North Church Street.

Of course, not everyone has been happy that Ministry With Community serves breakfast and lunch to an average of 225 people a day and provides daytime shelter and activities in downtown Kalamazoo.

Some have suggested that Ministry With Community, along with other organizations that provide assistance to the homeless, low-income people, those with mental illnesses or substance abuse problems, have made downtown Kalamazoo a magnet for people who have hit rock-bottom.

But such views miss the reality. This vulnerable part of our community exists and its needs should not be ignored.

So we contend that agencies like Ministry With Community are part of the solution, not part of the problem.

Those who are homeless, low-income, or dealing with other problems often gravitate to downtowns, where public transportation, parks and libraries are accessible, where it is easier to survive without attracting undue attention.

If those who complain about the homeless would step inside Ministry With Community's building, they'd see a safe, welcoming environment full of ``members" who, instead of begging for spare change on street corners or sleeping in parks or alleys, are doing their laundry, searching for jobs or apartments, or getting haircuts.

Demand for Ministry With Community's services is growing. Many of the people who go there for meals have jobs, but are unable to make ends meet. Others are flocking there because state budget cuts have reduced access to mental health and substance abuse programs.

Meanwhile, the organization's staff, board and volunteers are trying to envision what Ministry With Community should be doing 20 years from now. Should it be providing more storage for

the possessions of those who use its services? What about serving an evening meal? Or providing bag lunches for those who work during the day?

The possibilities are limited only by the generosity of the community. About 500 volunteers help Ministry With Community deliver services. About half of its budget comes from private contributions.

We hope the community will continue to be generous so that Ministry With Community will be there for those who need it most for the next 20 years -- and beyond.

Homeless with someplace to go

Tuesday, August 23, 2005

By Federico Martinez
CHRONICLE STAFF WRITER

Red scars ravaged the blond, wiry 14-year-old boy's arm and wrist. He raised his left forearm to better display his wounds.

"I've killed myself four times," David told the other homeless teens standing around him inside Muskegon's Youth Drop-In Center at 1855 Peck.

The other young people nodded their heads in understanding. Some of their bodies are a canvass of similar scars. Most of them carry less visible, but more painful emotional wounds inside them. The Peck Street center was set up as a haven for young people in trouble. Most who come in are homeless or "between homes." Some have homes that are dangerous for them; others simply can't stand being around the adults in their lives.

But the staff isn't "screening" youngsters about their home life. They say all are welcome. An estimated 33,000 homeless youths last year found themselves struggling for survival on Michigan streets, according to 2004 statistics compiled by the Michigan Department of Education. Some 900 were identified in Muskegon, according to local statistics.

Someplace to go

The Muskegon Homeless Youth Drop-In Center provides these troubled youths a temporary respite from the challenges they face. Open two days each week, young people can stop at the center to munch on a snack, play table games with other homeless youths, relax for a couple of hours on an overstuffed chair and watch TV or simply talk to staffers about their individual problems.

Organized activities and field trips are also planned periodically by center staff.

CONTINUED

Homeless with someplace to go

Page 2 of 3

The federally funded center is operated by Muskegon's Webster House, an agency that operates a youth shelter, and Every Woman's Place, a shelter for abused women at 1221 W. Laketon.

"The purpose of the center is to have a safe place to go to," said program coordinator Javier "Javi" Hernandez. "It gives them a chance to do things other kids their age are doing and forget their problems for a little while."

It's not all fun and games. Trained staff help the teens with their school homework. They offer workshops that teach the youngsters how to apply for a job, manage their money and develop better personal grooming habits. They also direct youths to a temporary children's shelter and other services offered through Webster House.

Hundreds of youths have visited the Homeless Youth Drop-In Center since it opened four years ago, according to staff records. A couple of the young people return on a regular basis, seemingly taking comfort and enjoying the camaraderie of being with others facing similar life situations.

Some of them arrive at the center and shower staff with eager hugs -- yearning for the love and affection denied them elsewhere. Other youths remain guarded, accepting tokens of assistance, like blankets or personal hygiene supplies, but keeping an emotional detachment from the staff. Hurt

The sight of children in emotional turmoil at the center can be unsettling.

Thirteen-year-old Raven's dark appearance -- black lipstick, painted fingernails and black clothing -- isn't nearly as frightening as the soft voice that bristles with what seems like a hundred lifetimes of anger and hurt. Her words often drip with venomous sarcasm.

A tall, lanky girl, who appears to be about 16-years-old, arrives at the center and quietly slumps into a chair that is located a "safe" distance away from everyone else in the center.

She stretches her almond-colored arms across the small table in front of her and appears to be grasping for something that remains out of reach. Her closed eyes remain tightly clenched, while her face reflects unspoken anger and loneliness.

Homeless with someplace to go

Page 3 of 3

Center staff watch the nameless teenager. They know that if they try to approach her she will flee.

For two hours her body writhes in emotional agony and despair. And then she leaves without ever saying a word or making a sound. Staffers said she has not returned to the center.

Despite the beatings Kevin has suffered at his mother's hands for most of his life, the stocky 13-year-old insists he could never strike her back. To vent his frustration, he tells the other youths, he punches himself in the face.

"I hit myself like this," says Kevin, who grabs a nearby plastic toy hammer and violently pounds himself on the top of his head.

Again and again, Kevin hits himself until an observant staff member at the drop-in center intervenes.

Help

"We're not therapists," says Hernandez, referring to center staff. But they are trained on how to listen and interact with these troubled youths. "A lot of times they just want to share their stories."

Staffers find a more subtle approach and offer of help is more readily accepted by homeless young people. Many of these youths already have good reason to be wary and distrustful of adults.

It took 21-year-old Jamal many months before he began to trust the staff. Jamal, who grew up in North Muskegon and says he was physically abused by adoptive parents, spent many of his teenage years as a runaway. He would shuttle between homes of various friends and sell stolen prescription drugs to make money.

Since he turned 17, he has sought out temporary shelter at Webster House "3 or 4 times," said Jamal. Legal troubles -- larceny and assault -- have landed him in jail several times.

Hernandez has taken him under his wing. He has helped Jamal re-enroll in school, create a resume and has driven him to job interviews.

In return, Jamal volunteers his time at the center's donation center, carrying in boxes of items people drop off and sorting items for later distribution.

He's grateful for his latest chance.

"(The center) gives kids an opportunity to do something," said Jamal.

He often finds himself doling out advice to the younger kids around him.

"I sit down and I tell them about my problems and how I got help," said Jamal. "Don't just take matters into your own hands. You might get into trouble."

Sleeping drifter almost run over by lawn mower

Tuesday, August 23, 2005

LaNIA COLEMAN
THE SAGINAW NEWS

A drifter in search of greener pastures nearly met a gruesome end when he decided to kick back in a ditch Monday.

A man cutting grass in an Albee Township farm field nearly mowed over the man as he slept in the overgrowth along Verne near Bueche, police said.

"He was sleeping pretty hard," said State Police Trooper P.J. Oster of the Bridgeport Post. "He wasn't intoxicated, just tired, and he didn't even hear the mower."

The man cutting the grass called police around 5:30 p.m. because he thought the man was dead. Oster said the homeless man was on his way to Lansing, where he hoped to find work.

"He said he was coming from Saginaw, where he probably stayed at the Rescue Mission (Sunday) night," Oster said.

The drifter had a warrant for a misdemeanor out of Royal Oak, but police there wouldn't drive as far as Saginaw County to pick him up, Oster said.

"If they'd have picked him up, at least he would have had a hot meal and a shower," the trooper said.

Oster drove the man to the nearest gasoline station so he could cash in empty pop bottles and cans he'd picked up along the way.

"It was starting to rain a little, and I at least wanted to keep him dry for the time being," he said.

"He said he has family in Michigan but he wants to get on his feet, make his life more respectable, before he contacts them."

The trooper said he didn't arrest the man because "there's no law against sleeping along the side of the road."

Oster said the man told him he was hoping to make it as far as Owosso by nightfall.

LaNia Coleman covers law enforcement for The Saginaw News. You may reach her at 776-9690.

The Jackson Citizen Patriot

August 23, 2005

IN BRIEF

Tuesday, August 23, 2005

More than \$1.09 million in grants have been awarded to housing commissions in Jackson, Albion and Hillsdale.

The grants are part of \$2.6 million in capital improvement funds to be awarded to 10 public housing complexes in the mid-Michigan area.

The grants may be used for modernization projects, development, financing or management improvements.

The Jackson Housing Commission received a \$704,793 grant, which is being earmarked for work at Chalet Terrace at 316 Barberry Drive and Shahan-Blackstone at 109 Shahan Drive.

The grant will be used at Chalet Terrace to replace furnaces in each of the 100 units as well as resurfacing parking lots and improving exteriors at the complex.

The playground equipment at the Shahan-Blackstone site will be also be upgraded.

The Albion Housing Commission received \$320,775 and the Hillsdale Housing Commission received \$64,542.

Migrants to state: We're losing ground

Tuesday, August 23, 2005

bwalters@kalamazoogazette.com 388-8563

A hard life is growing harder for families who pick and pack Michigan's crops, from asparagus to apples, the state Civil Rights Commission was told Monday at a public forum in Kalamazoo. Among the complaints put by more than 100 migrants and advocates before commissioners at Western Michigan University's Multicultural Center:

Children are being left strapped in car seats in hot vehicles or strapped to parents' backs in fields because many outreach programs, including monitored day care, have been cut or eliminated.

"We have no cars" to visit the camps, said Martha Cortes, director of the Office of Migrant Affairs for the Michigan Department of Human Services.

"Glaringly substandard housing conditions" are becoming more common in migrant camps.

There are now only five state Department of Agriculture health and sanitation inspectors, none of whom is bilingual, to inspect about 4,000 units for more than 22,000 people statewide. Two years ago there were eight licensed inspectors. In 1988 there were 17.

Migrants wait for weeks or months for enforcement of state and federal workplace-safety rules. Complaints in June by a church group that workers were without water in one Southeast Michigan field got no response until August, when the field's owner was asked to investigate it himself, according to Tom Thornburg, co-managing attorney for Farmworker Legal Services in Kalamazoo.

Migrants and permanent residents who are Hispanic often lack access to education, job training and other services because they are not bilingual. One Western Michigan University student from a Hispanic farm family told about her father, whose English is limited and who lost his job when the mushroom-growing plant where he worked near Fennville closed. "He's not young anymore," she said. Unable to learn English, he can't take advantage of training programs he qualifies for under the Trade Act/NAFTA, she said.

"We're losing all the ground we worked so hard for 25 years," said Sister Rosemary Tierney, who has worked through the Catholic Diocese of Kalamazoo in migrant services for a quarter-century.

Commission members made it clear they were visiting Kalamazoo to listen, not give responses right away. The few responses they did have, however, showed sympathy for the migrant cause. "This does remind me a lot of what used to happen in the South," commission Chairman Valerie Simmons remarked after hearing that many companies were requiring pre-employment tests. Those tests often discriminate against migrants and immigrants, advocates said.

"Do you really need a 10th-grade education to sort cherries?" one advocate asked.

A "growing radical anti-immigrant movement" threatens the Michigan farm movement, said Carlos Alfredo, of Gobles, president of the Immaculate Conception Parish in Hartford, where many migrant and farm families attend.

Vigilantes formed border groups in Arizona earlier this year, and "I fear we soon will have such groups in Michigan," he said.

There are no vigilantes yet, but the racism of asking Hispanic drivers for "papers" rather than a license is an example of the kind of false assumptions that can lead to widespread problems, he said.

The hardships for Michigan farm workers begin even before they leave Mexico or Texas for the trip north, according to Eusebio Suasto, who spoke through a translator.

Contractors, or ``coyotes," bring immigrants illegally over the border and then keep half of the workers' paychecks, said Suasto, also of Immaculate Conception parish.

``How does the contractor have the right to cash the check?" he asked.

Kalamazoo Vice Mayor Hannah McKinney read a proclamation declaring Monday ``farm Worker Appreciation Day."

Federal Funds For Abstinence Group Withheld

By Ceci Connolly
Washington Post Staff Writer

Tuesday, August 23, 2005; Page A05

The Bush administration yesterday suspended a federal grant to the Silver Ring Thing abstinence program, saying it appears to use tax money for religious activities.

Officials at the Department of Health and Human Services ordered the group to submit a "corrective action plan" if it hopes to receive an expected \$75,000 grant this year.

In a letter to the program director, Harry Wilson, associate commissioner of the Family and Youth Services Bureau, concluded that the project funded with federal dollars "includes both secular and religious components that are not adequately safeguarded."

The action comes three months after the American Civil Liberties Union filed a lawsuit against HHS, accusing the administration of using tax dollars to promote Christianity. In documents filed in federal court in Boston, the ACLU alleged that the activities, brochures and Web site of Silver Ring Thing were "permeated with religion" and use "taxpayer dollars to promote religious content, instruction and indoctrination."

Teenage graduates of the program sign a covenant "before God Almighty" to remain virgins and earn a silver ring inscribed with a Bible passage reminding them to "keep clear of sexual sin." Many of its events are held at churches.

In filings with the Internal Revenue Service, the organization describes its mission as "evangelistic ministry" with an emphasis on "evangelistic crusade planning."

Representatives of the Pennsylvania-based nonprofit describe Silver Ring Thing as a "faith-based" group but dispute charges it has commingled its public funds with religious activities.

"Any religious teaching that goes on is separate in time and place from what the government is funding," said Joel Oster, senior litigation counsel at the Alliance Defense Fund, which is representing the Silver Ring Thing. "They offer a religious program and they offer a secular program; kids can choose which one they want to go to."

In an advertisement on its Web site for a set of educational materials on DVD, Silver Ring Thing promises: "A secular program is also in development."

The ACLU declared a partial victory yesterday but said it will continue to monitor the group's activities.

"We're really pleased the government has recognized Silver Ring Thing was misusing public dollars to promote its own faith over all others," said senior staff attorney Julie Sternberg. "It's improper for the federal government to underwrite a national roadshow designed to convert teenagers to a particular faith."

HHS officials would not elaborate beyond the letter.

Hamilton parents air views on sex ed

Tuesday, August 23, 2005

By Jennifer Jacobs
The Grand Rapids Press

HAMILTON -- Parents of children in Hamilton Community Schools have mixed feelings about a proposed reproductive curriculum.

The district held a hearing Monday on the issue. Parents and community members will have a final chance for comments during a second hearing at 8 p.m. Sept. 12 at Hamilton High School. During Monday's hearing, some parents expressed a desire for the abstinence-based program to include instruction on options such as birth control and condoms, while other parents did not want those mentioned.

Nearly a dozen parents attended the hearing.

The Board of Education will review the comments this fall and decide if they want to implement the teachings in the district.

The HIV/AIDS curriculum would include instruction at the elementary, middle and high school levels.

Younger children will discuss how HIV/AIDS is spread, while the high school students will hear from a speaker who has AIDS.

Barb Ferguson, district curriculum director, said the reproductive portion of the program would be part of elective physical education classes.

Administrators calculated they would reach 600 students through those classes. Parents would have the choice to remove their child from the lessons.

Middle School teacher Kevin DeRoos said instructors would work with parents throughout the program.

"We want to make sure that parents have the information about what is being taught in their children's classes," DeRoos said.

All materials for the HIV/AIDS and reproductive curriculum are available for review at the district's administration office, 4815 136th Ave.

Residents can mail comments to the Board of Education, P.O. Box 300, Hamilton, MI 49419, or e-mail comments to Ferguson at bferguso@remc7.k12.mi.us

Society

Fund-raiser is full of Southern-fried charity

By Chuck Bennett / Special to The Detroit News

August 23, 2005

Grits are hardly standard party fare on the local charity circuit, but there they were with lots of other hearty Southern entrees, including beer-battered fried catfish, barbecued beef brisket and crawfish etoufee, all signature dishes of the new Southfield restaurant Etoufee.

An estimated 300 people showed up for the opening night fund-raiser, which benefited the Neighborhood Service Organization and the Renaissance Chapter of Links of Detroit.

"This is a wonderful opportunity to raise funds for two of the most vulnerable populations we have in our community: children and the homeless," says Sheilah P. Clay, president and CEO of NSO. NSO will use the money from this charity benefit to support its walk-in center, which because of a lack of sufficient funds, was forced to reduce its hours. Extending its breakfast program and providing its clients with transportation to employment and other community services are NSO goals.

"Our objective is to move people out of homelessness," Clay says.

Guest paid \$100 each for cocktails, dinner, dessert, entertainment and dancing.

And as far as the grits, well, by the end of the evening, the grits pan on the buffet had been replenished at least four times.

What's coming up

10th annual Golden Classic Scholarship Golf Outing is 10 a.m. Sept. 16 at the Links of Novi.

The event, sponsored by Madonna University, begins with a free golf clinic presented by PGA pros, followed by lunch, a shotgun start, cocktail hour and live auction, and dinner and silent auction. Golf and dinner for a foursome is \$800; individual players, golf and dinner, \$200; dinner only, \$50. Information: (734) 432-5421.

Fash Bash, benefiting the Detroit Institute of Arts, is Aug. 27. Tickets are \$125 or \$350. The latter includes a private reception, live auction and after-party. Information and tickets: (313) 833-6954 or www.foundersju.niarcouncil.org.

The What's Coming Up calendar appears Tuesdays in the Features section. To publicize your event, send information to Alesia Cooper, The Detroit News, 615 W. Lafayette Blvd., Detroit, MI 48226. You can also call her at (313) 222-2046, fax (313) 222-2451 or e-mail acooper@detnews.com.

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State economy still struggles to pick up steam

8/21/2005, 8:50 a.m. ET

By KATHY BARKS HOFFMAN
The Associated Press

LANSING, Mich. (AP) — Michigan's slog through the economic doldrums looks like it's going to continue for at least another year. Economists for several state agencies said last week Michigan could see unemployment increase later this year and into 2006 from its current rate of 7 percent. Gov. Jennifer Granholm's administration said the rate could rise to as high as 7.5 percent next year.

The economists expect Michigan will largely miss out on national job increases that have pushed down the U.S. unemployment rate to 5 percent. Although the state has added 27,000 jobs since last July, it's still struggling to regain the 313,600 lost since it hit its peak employment of 4.7 million jobs in June 2000.

The lack of an economic recovery has become political fodder for both parties, with Republicans saying the Democratic governor hasn't done enough to lure jobs, and Granholm blaming Republican legislative leaders for moving too slowly on changes she said would help the state's manufacturing and other sectors rebound.

Despite the harsh rhetoric, Michigan's woes basically stem from one factor: the state's spot at the epicenter of a global restructuring in manufacturing.

Manufacturers, especially those in the auto industry, need fewer people to build the same number of goods. That means many of the jobs that have disappeared probably are gone for good.

The effect of that change has been dramatic over the past five years. Since June 2000, the total number of payroll jobs in the state has dropped 6.7 percent. But the number of manufacturing jobs has declined by 26 percent — a loss of 234,300 positions.

"We've lost one of every four (manufacturing) jobs we had in June of 2000. To me, that's the number that's really staggering," said Jay Wortley, senior economist at the nonpartisan Senate Fiscal Agency.

Manufacturing jobs declined 18 percent nationally over the same

period, so Michigan isn't alone. But because manufacturing plays such a major role in Michigan's economy, the problem is a much bigger factor to overcome, Wortley said.

Plenty of solutions have been tried or suggested: tax cuts, worker-training programs, trade trips, enterprise zones and the investment of state money to encourage biosciences and high-end research.

State economy still struggles to pick up steam

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Despite such efforts, the state remains at the bottom of the economic pile. So Wortley and other economists remain cautious about predicting when nonmanufacturing job gains will overcome manufacturing losses by margins large enough to finally get Michigan back on the road to recovery.

"I'm not really sure where that growth would come from," Wortley said. "There's no quick fix for turning that around."

State Treasurer Jay Rising doesn't deny the state is missing out on the national economic recovery. The administration forecasts Michigan will continue to lose 2,000 jobs a quarter this year before adding about 6,000 a quarter in 2006.

But Rising said there are indications the state's doing a better job of holding its own, despite the steady drop in manufacturing.

"It's stabilizing," he said. "I think there's a lot of good signs on the horizon."

Economists with the Treasury Department and House and Senate Fiscal agencies see overall employment growing slightly in the last quarter of this year and throughout next year. But they also predict motor-vehicle manufacturing will drop by 17,300 jobs this year and by nearly 12,000 jobs next year. Those losses could be even larger if rising interest rates and high gasoline prices cut into car and truck sales.

Wortley said this economic downturn has been unlike earlier recessions in that the auto industry lost fewer jobs during the downturn but has not replaced nearly as many as the national economy has gotten better.

That's largely because the Big Three domestic automakers — General Motors Corp., Ford Motor Co. and DaimlerChrysler AG's Chrysler Group — continue to lose market share while improving productivity.

Their woes have hurt other areas of Michigan's economy.

Just last week, TRW Automotive Holdings Corp. announced it would close two Michigan plants — in Jackson and Sterling Heights — by mid-2006 because of pressures caused by production slowdowns at U.S. auto plants. The company closed its Brighton plant in July.

Wortley said the state eventually will pull out of its slump, although he and other state economists — burned by past economic growth predictions that never came true — remain cautious about forecasting when that will happen.

"We've lived through other restructurings, and we'll live through this one," Wortley said. "It's just that, through the process, it can be painful."

On the Net:

House Fiscal Agency: <http://www.house.mi.gov/hfa>

Senate Fiscal Agency: <http://www.senate.michigan.gov/sfa>

Michigan Department of Treasury: <http://www.michigan.gov/treasury>